



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/847,492	05/02/2001	Ian Zvonko Janoska	16720-3	6282

7590

08/17/2005

Clifford W. Browning
Woodard, Emhardt, Naughton, Moriarty & McNett
Bank One Center/Tower
111 Monument Circle, Suite 3700
Indianapolis, IN 46204

EXAMINER

MCFADDEN, SUSAN IRIS

ART UNIT

PAPER NUMBER

2655

DATE MAILED: 08/17/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/847,492

Applicant(s)

JANOSKA, IAN ZVONKO

Examiner

Susan McFadden

Art Unit

2655

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 July 2005.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3,8,9,12-17,20,22-24,28,29,35,36, 39-42, and 46-53 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3,8,9,12-17,20,22-24,28,29,35,36,39-42, and 46-53 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Specification

1. The abstract of the disclosure is objected to because it contains the words "Disclosed". Correction is required. See MPEP § 608.01(b).
2. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Claim Objections

3. Claims 1-3 are objected to because of the following informalities: There is no antecedent basis for "said mobile object" in the claims. Appropriate correction is required.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-3,8,9,12-17,20,22-24,28,29,35,36, 39-42, and 46-53 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kennedy, III et al. (6,535,743) in view of Fowler et al. (6,212,474).

In regard to claims 1-3,8,9,35,36, Kennedy, III et al. show in Figure 1 and the Abstract, a system and method for monitoring the location of a mobile object (motor vehicle) comprising: (i) apparatus located with a mobile object, said apparatus

Art Unit: 2655

comprising: a position determination device for determining coordinate data relating to the location of said object (GPS, item 48), said apparatus is further configured to provide verbal navigational information to an occupant of said mobile vehicle (Abstract, item 22); a database for relating said coordinate data to textually descriptive data (memory, item 40, GPS systems (streets)) relating to the position of said object: a speech processor for generating a verbal message based on said textually descriptive data (item 50), which comprises at least one item from the group of items consisting of place names, suburbs, or street names; a radio communication device (cellular telephone device) for communicating said verbal message, further comprising a human speech interpretation device for interpreting verbal commands of said user for controlling functional features, issued via said communications apparatus (IVR, item 50, col. 4, col. 7, ln 32-46), and a processor coupled to said position determination device and said database and said radio communication device for controlling generation and communication of said verbal message; and (ii) communications apparatus (mobile cell phone, item 42) operable by a user of said system and configurable to receive communication of said verbal message from said apparatus and provide an audible representation thereof to the user, (who can be in the car or remote from the system (item 16), items 50,22, col. 4). Kennedy et al. shows that the system does get input from outside sources on a communications network which is more accurate because the directions and updates are given in real-time and does not specifically show that it is a stand-alone apparatus. Fowler et al. show a system and method that uses a stand-alone (col. 6, ln 62-66) navigation device for use in vehicles that generate instructions to

Art Unit: 2655

the user (col. 5-6, Fig. 1, items 111, 110, 131, 127, 112,124,140). Therefore, it would be obvious to one of ordinary skill in the art at the time of the invention to add the system of Fowler as a backup system in case Kennedy's system goes down because it would provide more ways of generating the desired navigational data.

In regard to claims 12,39, and 46, Kennedy et al. show that the textually descriptive data comprises at least one item from the group of items consisting of: a street name; a suburb name; and a place name (restaurant name, directions include street names, col. 14, ln 24-28).

In regard to claims 13,40, and 47, Kennedy et al. show that the mobile object is a motor vehicle (Fig. 1, item 25).


In regard to claims 14-17,41,42, and 48-53, Kennedy et al. show said apparatus is further configured to provide verbal navigational information to an occupant of said motor vehicle (col. 14, ln 24-28), which can be covertly installed in a vehicle; said position determination device comprises a Global Positioning System (GPS, Fig 1, item 48) device and said radio communication device comprises a cellular telephone device (Fig. 1, item 42); communications apparatus comprises a telephone apparatus (item 42) which can be a cellular mobile telephone apparatus.

In regard to claims 20,22,23,24, and 28-29, Kennedy et al. show establishing said radio communications link is performed by said user and said step of delivering said verbal message is performed using a cellular telephone network which can be audibly announced using a cellular mobile telephone apparatus.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Susan McFadden whose telephone number is 571-272-7621. The examiner can normally be reached on Monday-Friday, 9:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wayne Young can be reached on 571-272-7582. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Susan McFadden
Primary Examiner
Art Unit 2655

August 10, 2005